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EXTRAORDINARY

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PART II—Section 1

प्राधिकार से प्रकाशित

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इस भाग में विभिन्न पृष्ठ तंत्रण की जाती है जिससे इस बहु अमण एकमान
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 9th June, 1987/Jyaistha 19, 1909 (Saka)

THE NATIONAL SECURITY (AMENDMENT) ORDINANCE,
1987

No. 3 of 1987

Promulgated by the President in the Thirty-eighth Year of the
Republic of India.

An Ordinance further to amend the National Security Act, 1980,
in its application to the State of Punjab and the Union territory of
Chandigarh.

WHEREAS the Council of States is not in session and the President is
satisfied that circumstances exist which render it necessary for him to
take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of
article 123 of the Constitution, the President is pleased to promulgate the
following Ordinance:—

1. (1) This Ordinance may be called the National Security (Amend-
ment) Ordinance, 1987.

(2) It shall come into force at once.

Short
title
and com-
mence-
ment,

Amendment of
Act
65 of
1980 in
its applica-
tion to
Punjab
and
Chandigarh.

Insertion
of new
section
14A.

Circum-
stances in
which
persons
may be
detained
for
periods
longer
than
three
months
without
obtaining
the
opinion
of
Advisory
Boards.

2. The National Security Act, 1980 (hereinafter referred to as the principal Act) shall, in its application to the State of Punjab and the Union territory of Chandigarh, have effect subject to the amendments specified in section 3.

3. In the principal Act, after section 14, the following section shall be inserted, namely:—

'14A. (1) Notwithstanding anything contained in the foregoing provisions of this Act, or in any judgment, decree or order of any court or other authority, any person in respect of whom an order of detention has been made under this Act at any time before the 8th day of June, 1988 may be detained without obtaining the opinion of the Advisory Board for a period longer than three months, but not exceeding six months, from the date of his detention where such person had been detained with a view to preventing him from acting, in any disturbed area, in any manner prejudicial to—

- (a) the defence of India; or
- (b) the security of India; or
- (c) the security of the State; or
- (d) the maintenance of public order; or
- (e) the maintenance of supplies and services essential to the community.

Explanation 1.—The provisions of the *Explanation* to sub-section (2) of section 3 shall apply for the purposes of this sub-section as they apply for the purposes of that sub-section.

Explanation 2.—In this sub-section, "disturbed area" means any area which is for the time being declared by notification under section 3 of the Punjab Disturbed Areas Act, 1983, or under section 3 of the Chandigarh Disturbed Areas Act, 1983, to be a disturbed area.

32 of 1983.
33 of 1983.

(2) In the case of any person to whom sub-section (1) applies, sections 3, 8 and 10 to 14 shall have effect subject to the following modifications, namely:—

(a) in section 3,—

(i) in sub-section (4), in the proviso,—

(A) for the words "ten days", the words "fifteen days" shall be substituted;

(B) for the words "fifteen days", the words "twenty days" shall be substituted;

(ii) in sub-section (5), for the words "seven days", the words "fifteen days" shall be substituted;

- (b) in section 8, in sub-section (1), for the words "ten days", the words "fifteen days" shall be substituted;
- (c) in section 10, for the words "shall, within three weeks", the words "shall, within four months and two weeks" shall be substituted;
- (d) in section 11,—
- (i) sub-section (1), for the words "seven weeks", the words "five months and three weeks" shall be substituted;
- (ii) in sub-section (2), for the words "detention of the person concerned", the words "continued detention of the person concerned" shall be substituted;
- (e) in section 12, for the words "for the detention", at both the places where they occur, the words "for the continued detention" shall be substituted;
- (f) in section 13, for the words "twelve months", the words "two years" shall be substituted;
- (g) in section 14, in the proviso to sub-section (2), for the words "twelve months", the words "two years" shall be substituted.'

4. The National Security (Amendment) Act, 1984, section 4 of the Repeal.
24 of 1984. National Security (Second Amendment) Act, 1984 and the National
60 of 1984. Security (Amendment) Act, 1985 are hereby repealed.
23 of 1985.

ZAIL SINGH,
President.

S. RAMAIAH,
Secy. to the Govt. of India.

